



The motion is granted. The Clerk shall file ECF Nos. 343-344 under seal, viewable only by the parties and Chambers personnel.

SO ORDERED.

March 1, 2024

Dated: 3/13/24
New York, New York

/s/ Alvin K. Hellerstein
Alvin K. Hellerstein
United States District Judge

VIA ECF

Hon. Alvin K. Hellerstein
Daniel Patrick Moynihan
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Re: *The Avon Company f/k/a New Avon LLC et al. v. Fareva Morton Grove, Inc. et al.*, Case No. 22-cv-4724

Dear Judge Hellerstein:

We represent Plaintiffs The Avon Company f/k/a New Avon LLC and LG H&H Co., Ltd. f/k/a LG Household & Health Care, Ltd. (collectively, "Avon") in the above-referenced matter. We write to respectfully request that the Court enter an Order to maintain under seal the document discussed below, a copy of which is being contemporaneously filed under seal pursuant to the Court's standing order, 19-mc-00583, and this Court's Individual Rule 4(B)(ii). In support of this Letter Motion, Avon states as follows:

On October 7, 2022, the Court entered a Stipulated Confidentiality Agreement and Protective Order (the "Protective Order"). (ECF No. 65.) The Protective Order permits either party to designate Discovery Material as "Confidential" or "Attorney's Eyes Only," and provides that information so designated may not be disclosed except as expressly permitted under the Protective Order. (ECF No. 65 at ¶¶ 2, 12.)

On February 16, 2024, Fareva filed its Motion for Reconsideration of the Court's February 5, 2024 Order Denying Fareva's Motion for Partial Summary Judgment on Avon's Early Termination Claim. (ECF Nos. 340, 341.) Avon intends to file a Memorandum of Law in opposition to that motion (the "Opposition").

Avon respectfully requests that the Court maintain under seal any portions of the Opposition that reference or quote exhibits that were previously filed under seal based on Fareva's designation of those materials as Confidential. Specifically, Avon identifies the following previously-filed Confidential document:

1. A true and correct copy of the Asset Purchase Agreement produced by Fareva in this

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action bearing Bates numbers FMG_00359576 – FMG_00359785 (ECF 224-1; *see also* ECF No. 336).

Avon respectfully requests that the Court maintain under seal any portions of the Opposition that reference or quote the foregoing exhibit, subject to any contrary request by Fareva at any time. Avon is not contending that good cause exists to designate the foregoing materials as Confidential within the meaning of the Protective Order. Instead, Avon merely seeks to comply with its obligations under the Protective Order to file under seal documents that Fareva has designated as Confidential. With Fareva's permission, Avon is prepared to re-file the foregoing documents or portions thereof publicly.

Thank you in advance for your consideration of this request.

Respectfully submitted,

/s/ Robert I. Steiner
Robert I. Steiner

cc: All Counsel of Record (via ECF)